

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, THE
EMPLOYEES RETIREMENT SYSTEM OF THE
GOVERNMENT OF THE COMMONWEALTH OF
PUERTO RICO, AND THE PUERTO RICO PUBLIC
BUILDINGS AUTHORITY,

Debtors.¹

AMERINATIONAL COMMUNITY SERVICES, LLC,
(AS SERVICER FOR THE GDB DEBT RECOVERY
AUTHORITY) AND CANTOR-KATZ
COLLATERAL MONITOR LLC,

Movants,

v.

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, THE
EMPLOYEES RETIREMENT SYSTEM OF THE
GOVERNMENT OF THE COMMONWEALTH OF
PUERTO RICO, AND THE PUERTO RICO PUBLIC
BUILDINGS AUTHORITY,

Respondents.

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

Re: ECF No. 18667 in

Case No. 17-bk-3283-LTS

**DECLARATION OF MARGARET A. DALE IN CONNECTION WITH DRA PARTIES’
URGENT MOTION TO COMPEL COMPLIANCE WITH ORDER GRANTING URGENT**

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

**JOINT MOTION REGARDING RULE 30(B)(6) DEPOSITION OF THE FINANCIAL
OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO**

I, Margaret A. Dale, declare:

1. I am a partner at Proskauer Rose LLP, counsel to the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole Title III representative of the Commonwealth of Puerto Rico, PBA and ERS pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”).² I submit this declaration in connection with the Oversight Board’s opposition to *DRA Parties’ Urgent Motion to Compel Compliance with Order Granting Urgent Joint Motion Regarding Rule 30(b)(6) Deposition of the Financial Oversight and Management Board for Puerto Rico* [ECF No. 18667 in Case No. 17-bk-3283] filed by AmeriNational Community Services, LLC as servicer for the GDB Debt Recovery Authority, and Cantor-Katz Collateral Monitor LLC (collectively, “Movants”).

2. Attached hereto as Exhibit 1 is a true and correct copy of a letter I sent to counsel to Movants on September 10, 2021.

3. Attached hereto as Exhibit 2 is a true and correct copy of the *Preliminary Expert Report of Douglas J. Brickley* dated September 13, 2021 [ECF No. 18163-1].

4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from the transcript of the October 15, 2021 deposition of Mr. Douglas J. Brickley.

5. Attached hereto as Exhibit 4 is a true and correct copy of the *Responses and Objections of the Financial Oversight and Management Board for Puerto Rico to Notice of Deposition of the DRA Parties Pursuant to Rule 30(b)(6)* dated October 3, 2021.

² PROMESA is codified at 48 U.S.C. §§ 2101–2241.

6. Attached hereto as Exhibit 5 is a true and correct copy of an email from counsel to Movants (Ms. Jennings) to me on October 8, 2021 at 8:47 a.m. Eastern Time, and the attachment thereto.

7. Attached hereto as Exhibit 6 is a true and correct copy of an email from counsel to the Oversight Board (Ms. Alonzo) to counsel to Movants (Ms. Jennings) on October 8, 2021 at 4:58 p.m. Eastern Time, with the attachment thereto.

8. Attached hereto as Exhibit 7 is a true and correct copy of an email from counsel to Movants (Ms. Jennings) to counsel to the Oversight Board (Ms. Alonzo) on October 8, 2021 at 5:23 p.m. Eastern Time.

9. Attached hereto as Exhibit 8 is a true and correct copy of an email from counsel to Movants (Ms. Jennings) to counsel to the Oversight Board (Ms. Alonzo) on October 10, 2021 at 8:09 p.m. Eastern Time.

10. Attached hereto as Exhibit 9 is a true and correct copy of an email from counsel to Ernst & Young LLP (Ms. DeCamp) to counsel to Movants (Mr. Cepeda) on October 14, 2021 at 12:04 p.m. Eastern Time.

11. Attached hereto as Exhibit 10 is a true and correct copy of an email from counsel to Movants (Mr. Cepeda) to counsel to the Oversight Board (Ms. Alonzo) and counsel to EY (Ms. DeCamp) on October 15, 2021 at 11:28 a.m. Eastern Time.

12. Attached hereto as Exhibit 11 is a true and correct copy of the *Subpoena to Testify at a Deposition in a Civil Action* addressed to Ernst & Young LLP dated October 15, 2021, with Attachment A and Exhibit B thereto. Exhibit 11 consists of the documents attached to the email attached hereto as Exhibit 10.

13. Attached hereto as Exhibit 12 is a true and correct copy of an email from counsel to the Oversight Board (Ms. Alonzo) to counsel to Movants (Mr. Mott) on October 22, 2021 at 4:36 p.m. Eastern Time.

I declare under penalty of perjury that the foregoing is true and correct.

Executed On: October 26, 2021

/s/ Margaret A. Dale

Margaret A. Dale